

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**MICHAEL R. STEINWAY and
PEGGY A. STEINWAY and
DAVID W. CROWELL,**

Plaintiffs,

v.

**THE VILLAGE OF PONTOON BEACH,
a Municipal Corporation; and in their
individual and official capacities,
VILLAGE OF PONTOON BEACH, ILLINOIS,
POLICE CHIEF CHARLES LEUHMANN,
PATROLMAN JOHN SIMMONS #062, and
LIEUTENANT DAN ABLE, #053,**

Defendants.

Case No. 06-cv-1043-DRH

ORDER

HERNDON, District Judge:

In an effort of continuing case management, the Court notes that there are two pending Motions to Dismiss (Docs. 8 & 19) that have been filed by Defendants in this matter and, to date, it appears Plaintiffs have made no attempt to file a Response. Under **CIVIL LOCAL RULE 7.1(c)**, “[f]ailure to timely file an answering brief to a motion may, in the court’s discretion, be considered an admission of the merits of the motion.” Accordingly, the Court allows Plaintiffs until **Monday, April 16, 2007** to file their Responses to Defendants’ Motions to Dismiss (Docs. 8 & 19). If Plaintiffs do not file their Responses by this new deadline or fail to obtain a further

extension of time to file from the Court, the Court, in its discretion pursuant to **CIVIL LOCAL RULE 7.1(c)**, will deem this an admission of the merits of Defendants' Motions (Docs. 8 & 19) and thereby grant the Motions to Dismiss (unless, of course, it is patently clear from the record and applicable law that Defendants' arguments have absolutely no legal merit).

IT IS SO ORDERED.

Signed this 30th day of March, 2007.

/s/ David RHerndon
United States District Judge